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|-------------------------------------------------------------|---------------|----------------------|-------------------------------|------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/574,087 | 03/21/2006 | Norikazu Ohtake | BY0031 | 8948 |
| 210 | 7590 | 05/19/2009 | EXAMINER | |
| MERCK AND CO., INC P O BOX 2000 RAHWAY, NJ 07065-0907 | | | BALASUBRAMANIAN, VENKATARAMAN | |
| ART UNIT | PAPER NUMBER | | | |
| | 1624 | | | |
| MAIL DATE | DELIVERY MODE | | | |
| 05/19/2009 | PAPER | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | |
|-------------------------------------------|-----------------------------------|---------------------|
| Response to Rule 312 Communication | Application No. | Applicant(s) |
| | 10/574,087 | OHTAKE ET AL. |
| | Examiner | Art Unit |
| | /Venkataraman Balasubramanian/ | 1624 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 30 April 2008 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

However, the amend to the specification to delete reference to claims is sent to printer as a response to printer query.

/Venkataraman Balasubramanian/
Primary Examiner
Art Unit: 1624